

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION**

UNITED STATES OF AMERICA,
PLAINTIFF,

v.

JAY EARNEST NIDAY,
DEFENDANT.

NO. 20-CR-04081

**DEFENDANT’S MOTION FOR
DOWNWARD VARIANCE**

COMES NOW Defendant, Jay Earnest Niday, through his undersigned counsel, and moves the Court to vary downward from the advisory United States Sentencing Guideline range in this case pursuant to 18 U.S.C. § 3553(a), for the reasons expressed in his presentence report and his sentencing memorandum and exhibits filed with this motion.

WHEREFORE, Defendant requests that the Court grant this motion and sentence him below the advisory guideline range.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on March 24, 2021, I electronically filed the foregoing with the Clerk of Court using the ECF system which will send notification of such filing to the parties of record. By: s/ John P. Greer.